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STATUTORY INSTRUMENTS

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**1978 No. 1039**

**Health and Safety at Work (Northern Ireland) Order 1978**

**<sup>F1</sup> PART II**

**HEALTH, SAFETY AND WELFARE IN CONNECTION WITH  
WORK, AND CONTROL OF DANGEROUS SUBSTANCES**

*Investigations and inquiries*

**Investigations and inquiries**

**16** <sup>F1</sup>—<sup>F2</sup>(1) This Article applies to the following matters, that is to say any accident, occurrence, situation or other matter whatsoever which <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive] thinks it necessary or expedient to investigate for any of the general purposes of this Part or with a view to the making of regulations for those purposes.

(2) <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive] may at any time—

- (a) investigate or authorise any other person to investigate, and make a special report on any matter to which this Article applies; or
- (b) cause an inquiry to be held into any such matter.

(3) Any inquiry held by virtue of paragraph (2)( *b*) shall be held in accordance with regulations, and shall be held in public except where or to the extent that the regulations provide otherwise.

(4) Regulations made under paragraph (3) may in particular include provision—

- (a) conferring on the person holding any such inquiry, and any person assisting him in the inquiry, powers of entry and inspection;
- (b) conferring on any such person powers of summoning witnesses to give evidence or produce documents and power to take evidence on oath and administer oaths or require the making of declarations;
- (c) requiring any such inquiry to be held otherwise than in public where or to the extent that a Minister of the Crown or Head of the Department concerned so directs.

(5) In the case of a special report made by virtue of paragraph (2)( *a*) <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive] may cause the report, or so much of it as <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive] thinks fit, to be made public at such time and in such manner as <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive] thinks fit.

(6) <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive]

- (a) in the case of an investigation and special report made by virtue of paragraph (2)( *a*), may pay to the person making it such remuneration and expenses as <sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive], with the approval of the Department of the Civil Service, may determine;
- (b) in the case of an inquiry held by virtue of paragraph (2)( *b*), may pay to the person holding it and to any assessor appointed to assist him such remuneration and expenses, and to

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**Changes to legislation:** There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 16. (See end of Document for details)

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persons attending the inquiry as witnesses such expenses, as<sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive], with the like approval, may determine; and

- (c) may, to such extent as<sup>F3</sup> . . . [<sup>F4F3</sup> . . . the Executive] may determine, defray the other costs, if any, of any such investigation and special report or inquiry.

**F1** mod. by SR 2000/87; 2000/120

**F2** mod. by 2002 c. 8 (NI)

**F3** 2005 c. 12

**F4** 1998 NI 18

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 16 .